

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-3, 5, 6, and 10-17 are pending in the present application. Claims 1, 3, and 16 are the independent claims.

Claims 1, 3, and 16 have been amended. No new matter is believed to have been added.

The Office Action objected to claims 1 and 16 on formal grounds. For unrelated reasons, Applicant has amended these claims to remove the offending recitations.

Favorable consideration is respectfully requested.

Claims 1-3, 5, 6, and 10-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 407037313 (Iwaki). All rejections are respectfully traversed.

Independent claim 1 now recites, inter alia, when a disc cartridge is accommodated on a tray in an abnormal orientation, an interference portion contacts and interferes with a reference area such that the cartridge is blocked by a blocking element as the tray moves toward opening of the drive, the interference portion urging the disc cartridge to a side of the opening other than a top side or a bottom side.

Independent claims 3 and 16 now recite, inter alia, when a disc cartridge is accommodated in a second orientation other than a first orientation an interfering element is received at a first surface and urges the disc cartridge to a side of the opening other than a top side or a bottom side.

Applicant respectfully submits that Iwaki does not disclose at least the aforementioned features of independent claims 1, 3, and 16.

The Office Action contends that projecting section 10 of Iwaki is a blocking element. (Office Action, page 3).

A review of Iwaki reveals, however, that the projecting section does not urge "the disc cartridge to a side of the opening other than a top side or a bottom side. Indeed, it is submitted that Iwaki does not suggest urging a disc cartridge to any side of the opening.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 3, and 16 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 5-24-07

By: 
Michael E. Kondoudis
Registration No. 42,758

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501